

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JIM MOCK, *et al.*

*

Plaintiffs,

*

v.

Case Number: 2:06-cv-00395-MHT

CHANDELEUR HOMES, INC., *et al.*

*

Defendants.

*

JOINT WITHDRAWAL OF PENDING MOTIONS
AND
MOTION TO STAY ACTION

COME NOW the parties, by and through counsel, and jointly agree for the withdrawal of Champion Enterprises, Inc.'s pending motion to dismiss (Doc. No. 4) and motion for summary judgment (Doc. No. 4), without prejudice, and move to stay this action and as grounds therefore, state as follows:

1. The parties have agreed to submit the claims by the plaintiffs against Champion Homes of Boaz, Inc., f/k/a Chandeleur Homes, Inc. to binding arbitration pursuant to an agreement to arbitrate the parties are in the process of finalizing.
2. In the interest of judicial economy, the parties move to stay all issues related to the alter ego claims in the complaint against Champion Enterprises, Inc. and to facilitate the above, jointly withdraw the pending motion to dismiss (Doc. No. 4) and motion for summary judgment (Doc. No. 4), without prejudice.

WHEREFORE PREMISES CONSIDERED, the parties jointly withdraw the pending motion to dismiss (Doc. No. 4) and motion for summary judgment (Doc. No. 4), without prejudice, and move to stay this action pending the outcome of the arbitration of the plaintiffs'

claims against Champion Homes of Boaz, Inc., f/k/a Chandeleur Homes, Inc. and for such other or different relief as is just.

Respectfully submitted,

**BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.**

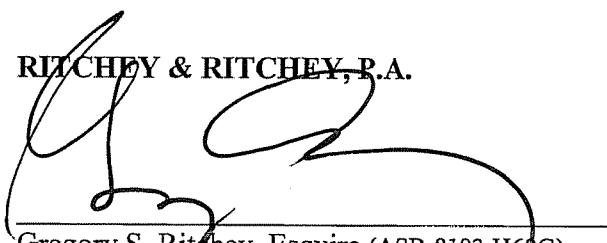
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